



# House of Representatives

General Assembly

**File No. 110**

February Session, 2004

Substitute House Bill No. 5487

*House of Representatives, March 17, 2004*

The Committee on Public Safety reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT REQUIRING THE ADOPTION OF A STATE FIRE PREVENTION CODE AND CONCERNING THE STATE BUILDING CODE AND THE FIRE SAFETY CODE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) (a) The State Fire Marshal,  
2       in coordination with the advisory committee established under  
3       subsection (b) of this section, shall adopt and administer a state fire  
4       prevention code based on a nationally recognized fire prevention code.  
5       Said code shall be used to enhance the enforcement capabilities of local  
6       fire marshals and for the purposes of prevention of fire and other  
7       related emergencies. Said code shall be adopted not later than January  
8       1, 2005, and shall be revised thereafter as deemed necessary to  
9       incorporate any subsequent revisions to the code not later than  
10       eighteen months following the date of first publication of such  
11       revisions.

12       (b) There is established an advisory committee consisting of nine

13 persons appointed by the State Fire Marshal. The State Fire Marshal  
14 shall appoint two members selected from a list of individuals  
15 submitted by the Codes and Standards Committee from the  
16 membership of said committee and seven members representing local  
17 fire marshals, deputy fire marshals and fire inspectors selected from a  
18 list of individuals submitted by the Connecticut Fire Marshals  
19 Association.

20 Sec. 2. Subsection (a) of section 29-252 of the general statutes is  
21 repealed and the following is substituted in lieu thereof (*Effective from*  
22 *passage*):

23 (a) As used in this subsection, "geotechnical" means any geological  
24 condition, such as soil and subsurface soil conditions, which may affect  
25 the structural characteristics of a building or structure. The State  
26 Building Inspector and the Codes and Standards Committee shall,  
27 jointly, with the approval of the Commissioner of Public Safety, adopt  
28 and administer a State Building Code based on a nationally recognized  
29 model building code for the purpose of regulating the design,  
30 construction and use of buildings or structures to be erected and the  
31 alteration of buildings or structures already erected and make such  
32 amendments thereto as they, from time to time, deem necessary or  
33 desirable. Such amendments shall be limited to administrative matters,  
34 geotechnical and weather-related portions of said code, amendments  
35 to said code necessitated by a provision of the general statutes and any  
36 other matter which, based on substantial evidence, necessitates an  
37 amendment to said code. The code shall be revised not later than [July  
38 1, 1998, to incorporate such revisions adopted by the Building Officials  
39 and Code Administrators International, Inc. in 1996 as they deem  
40 necessary] January 1, 2005, and thereafter as deemed necessary to  
41 incorporate any [necessary] subsequent revisions to the code [adopted  
42 by said organization or by the International Code Council,  
43 Incorporated,] not later than eighteen months following the date of  
44 first publication of said subsequent revisions to the code. The purpose  
45 of said Building Code shall also include, but not be limited to,  
46 promoting and ensuring that such buildings and structures are

47 designed and constructed in such a manner as to conserve energy and,  
48 wherever practicable, facilitate the use of renewable energy resources.  
49 Said Building Code includes any code, rule or regulation incorporated  
50 therein by reference.

51 Sec. 3. Subsection (a) of section 29-292 of the general statutes is  
52 repealed and the following is substituted in lieu thereof (*Effective from*  
53 *passage*):

54 (a) The State Fire Marshal and the Codes and Standards Committee  
55 shall adopt [, promulgate] and administer a Fire Safety Code and at  
56 any time may amend the same. The code shall be based on a nationally  
57 recognized model fire code and shall be revised not later than [January  
58 1, 1987, and every four years] January 1, 2005, and thereafter as  
59 deemed necessary to incorporate advances in technologies and  
60 improvements in construction materials and any subsequent revisions  
61 to the code not later than eighteen months following the date of first  
62 publication of such revisions to the code, unless the State Fire Marshal  
63 and the committee certify that a revision is not necessary for such  
64 purpose. The regulations in said code shall provide for reasonable  
65 safety from fire, smoke and panic therefrom, in all buildings and areas  
66 adjacent thereto except in private dwellings occupied by one or two  
67 families and upon all premises except those used for manufacturing,  
68 and shall include provision for smoke detection and warning  
69 equipment in (1) residential buildings designed to be occupied by two  
70 or more families, (2) new residential buildings designed to be occupied  
71 by one family for which a building permit for new occupancy is issued  
72 on or after October 1, 1978, requiring equipment complying with the  
73 Fire Safety Code, and (3) new residential buildings designed to be  
74 occupied by one or more families for which a building permit for new  
75 occupancy is issued on or after October 1, 1985, requiring equipment  
76 capable of operation using alternating current and batteries. Said  
77 regulations shall provide the requirements for markings and literature  
78 which shall accompany such equipment sufficient to inform the  
79 occupants and owners of such buildings of the purpose, protective  
80 limitations and correct installation, operating, testing, maintenance

81 and replacement procedures and servicing instructions for such  
82 equipment and shall require that smoke detection and warning  
83 equipment which is installed in such residential buildings shall be  
84 capable of sensing visible or invisible smoke particles, that the manner  
85 and location of installing smoke detectors shall be approved by the  
86 local fire marshal or building official, that such installation shall not  
87 exceed the standards under which such equipment was tested and  
88 approved and that such equipment, when activated, shall provide an  
89 alarm suitable to warn the occupants, provided each hotel, motel or  
90 inn shall install or furnish such equipment which, when activated,  
91 shall provide a visible alarm suitable to warn occupants, in at least one  
92 per cent of the units or rooms in such establishment having one  
93 hundred or more units or rooms and in establishments having less  
94 than one hundred units or rooms, it shall install or furnish at least one  
95 such alarm.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>

**PS**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Public Safety, Dept.	GF - Cost	Potential Minimal	Potential Minimal

Note: GF=General Fund

**Municipal Impact:** None**Explanation**

Sections 1 and 2 of the bill, which would not result in any fiscal impact to the state, require that the state's building, fire safety and fire prevention codes be based on nationally recognized models.

Section 3 requires revisions to the fire safety code 18 months after the first publication of a model code revision, unless otherwise determined unnecessary. To the extent that this requirement results in more frequent publication, duplication and distribution of codes to the various local authorities, passage of the bill could result in additional costs to the state.

**OLR Bill Analysis**

sHB 5487

***AN ACT REQUIRING THE ADOPTION OF A STATE FIRE PREVENTION CODE AND CONCERNING THE STATE BUILDING CODE AND THE FIRE SAFETY CODE*****SUMMARY:**

This bill requires the state fire marshal to adopt a state fire prevention code based on a nationally recognized code to (1) enhance the enforcement capabilities of local fire marshals and (2) prevent fire and other related emergencies. Current law requires a state Fire Safety Code, but not a prevention code. He must adopt the prevention code by January 1, 2005, in coordination with a 9-member advisory committee, and revise it as deemed necessary to incorporate revisions to the national code within 18 months after they are first published.

The bill eliminates the requirement for the State Building Code to incorporate revisions of the International Code Council. It instead requires the Building Code and Fire Safety Code to be based on nationally recognized model building and fire codes and requires both to be revised by January 1, 2005 and, as deemed necessary thereafter, to incorporate revisions adopted by the model codes on which they are based. It eliminates the requirement for fire safety code revisions every four years unless the state fire marshal and Codes and Standards Committee certify a revision as unnecessary. It instead requires revisions within 18 months after first publication of model code revisions, the same standard as for the State Building Code, unless the state fire marshal and the Codes and Standards Committee certify a revision as unnecessary.

EFFECTIVE DATE: Upon passage

**ADVISORY COMMITTEE**

This committee consists of nine members appointed by the state fire marshal. He must appoint two members from a list of Codes and Standards Committee members the committee submits. The other seven members must represent local fire marshals, deputy fire marshals, and fire inspectors selected from a list provided by the

Connecticut Fire Marshals Association.

**COMMITTEE ACTION**

Public Safety Committee

Joint Favorable Substitute

Yea    21        Nay    0